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(Modified) PTO/SB/21 (6-98)  
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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01162 210US

# POWER OF ATTORNEY OR AUTHORIZATION OF AGENT AND ACCOMPANYING APPLICATION FORM

Application Number	09/932,254
Filing Date	August 16, 2001
First Named Inventor	Lu Liu, 2001
Group Art Unit	1635
Examiner Name	Unassigned
Attorney Docket Number	02-103610US
Group Art Unit	1635

(to be used for all correspondence after initial filing)

I hereby appoint:

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☒ Practitioner(s) named below:

Fee Transmittal Form	Name	Registration Number
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<input type="checkbox"/>	Sharon Fujita	38,459
<input type="checkbox"/>	Joanne Petithory	42,995
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Response to Missing Parts/  
Incomplete Application

☒ Applicant.  
☐ Assignee of record of the entire interest (Certificate under 37 CFR 3.73(b) is enclosed)

Remarks  
SIGNATURE of Applicant or Assignee of Record

Name

Firm

Signature

Date

Signature

*Michael P. Robson*  
Annela P. Hayne, P.E., Reg. No. 41079 The Law Offices of Jonathan Alan Quine  
10/23/01

## CERTIFICATE OF MAILING

Date November 16, 2001  
I hereby certify that this correspondence is being deposited with the United States as first class mail in an envelope addressed to:  
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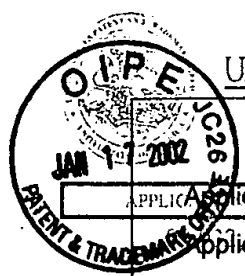
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Typed or printed name	Evelyn Gomez		
Signature	<i>Evelyn Gomez</i>		
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STATEMENT UNDER 37 CFR 3.73(b)

COMMISSIONER FOR PATENTS  
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APPLICANT NUMBER	LY Liu, et al	RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
Application No.: 09/932,254/2001		Filed: August 16, 2001 103610US		

Entitled: **Novel Constructs and their use in Metabolic Pathway Engineering**

CONFIRMATION NO. 3106

22798 Maxygen, Inc.  
LAW OFFICES OF ALAN QUINE  
P O BOX 458  
ALAMEDA, CA 94501

(Name of Assignee)  
(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

corporation



states that it is:

- ☒ the assignee of the entire right, title, and interest; or
- ☐ an assignee of an undivided part interest.

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in the patent application identified above, by virtue of either PROVISIONAL APPLICATION

A. [X] An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached.

OR

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- From: The document was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached. Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (27 CFR 1.27). To: \_\_\_\_\_
- Total additional documents recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached.
  - \$130 for 84 to 100 claims over 20.
  - \$640 for 8 independent claims over 3.To: \_\_\_\_\_
- The oath of declaration is unsigned. To: \_\_\_\_\_
- To avoid abandonment, a late filing fee of \$130 for a non-small entity must be submitted with the missing items identified in this letter. The document was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached.
- The chain of title documents in the chain of title are listed on a supplemental sheet.

[X] Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

A copy of this notice MUST be returned with reply.

10/23/01  
Date

Signature

Michael S. Rabson

General Counsel

And Senior Vice President

Customer Service Center

Initial Patent Examination Division (703) 308-1200

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Title

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Attorney Docket No.: 02-103610US  
Client Reference No.: 0162.210US

## ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Lu Liu, of 519 Skiff Circle, Redwood City, CA 94065, Genhai Zhu of 1282 Littleton Drive, San Jose, CA 95131, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: NOVEL CONSTRUCTS AND THEIR  
USE IN METABOLIC PATHWAY  
ENGINEERING

Filing Date: August 16, 2001

Application No.: 09/932,254; and

WHEREAS, Maxygen, Inc., a Delaware corporation, located at 515 Galveston Drive Redwood City, CA 94063, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and which claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

## NOT FOR RECORDATION

Assignment  
Application No.: 09/932,254  
Page 2

IN TESTIMONY WHEREOF, Assignors have signed his/her name on the date indicated.

Dated: 10-11-01

Lu Liu  
Lu Liu

SIGNATURE WITNESSED BY:

(1) Date: 10/11/01

Diane Owen  
Signature of Witness 1

Dated: 10/23/01

Genhai Zhu  
Genhai Zhu

SIGNATURE WITNESSED BY:

(1) Date: 10/23/01

Diane Owen  
Signature of Witness 1